

**RECEIVED
CENTRAL FAX CENTER****NOV 01 2006**

- 4 -

REMARKS

The present amendment is responsive to the Office Action mailed in the above-referenced case on October 02, 2006. Claims 23-32 are standing for examination. In the action the Examiner rejected claims 23-32 under 35 U.S.C. 103(a) as being unpatentable over U.S. 6,782,253 Shteyn et al., hereinafter Shteyn, in view of U.S. 6,487,180 Borgstahl, hereinafter Borgstahl.

In response to the Examiner's rejections, statements and provided references, applicant herein provides valid arguments which clearly point out the limited teachings of Shteyn and how they fail to read on applicant's invention, as claimed. No amendments are herein made to the claims.

The Examiner states that; "Shteyn teaches a network-connected server storing an exhibit profile for individual ones of a plurality of the exhibits (col. 8 lines 12-41); a first computerized communication device usable by a first person potentially interested in one or more of the exhibits at the shopping mall (mobile device 108 - figure 1, col. 37-57); and inherently teaches a second computerized communication device usable by an agent for one of the exhibits (col. 8 lines 42-58, where Shteyn discloses providing a pointer to connect to the agent with SMS or telephone number, therefore, the agent has to have a communication device); wherein the first person registers a seeker profile with the server (Content 202- figure 2, col. 7 lines 13-32, where the content includes the user's location, activity and interests), the server compare the seeker profile with stored exhibit profiles and finds one or more matches (filter matching process 204 — figure 2, col. 7 lines 55-61 and col. 8 lines 12-41), and provides a communication address for the second communication device to the first person to contact the agent for the associated exhibit (col. 8 lines 42-58). However, Shteyn does not teach that the exhibit is at a trade show.

Applicant disagrees that Shteyn teaches the invention occurs on a network server. Shteyn specifically teaches a plurality of geographically challenged beacons, positioned next to available services from a shopping mall, which broadcast service information to mobile communication devices carried by users. User profiles are primarily stored on the

- 5 -

mobile device to initiate a possible match between the user and the service. Only when the mobile device receives the broadcast from the beacon, does it perform the filter and match function, or alternatively the mobile device, after receiving the broadcast pushes the broadcast to a Web site which stores a full version of the user profile for more detailed matching before the user of the mobile device is alerted to the service (col. 10, lines 38-45).

Applicant argues that the invention of Shteyn fails to perform the matching function unless the mobile device is within range to receive the broadcast from the beacons. If the user is not within range of the service, the user will not be notified of the available service. In applicant's invention, the user does not have to be "in range" to be notified of an exhibit, which an extreme benefit over the art of Shteyn. The mobile device taught in Shteyn must also have proprietary software and storage capacity to perform the invention, which is not needed in applicant's invention, because the network connected server performs all tasks. Applicant's computerized device could be any off-the-shelf cell phone with Internet capability.

Further, applicant argues that Shteyn fails to teach a specific agent for each exhibit, as claimed. Shteyn teaches contact information being a phone number, URL, etc. for the entity hosting the service, but the teaching is not specific to an agent having a computerized communication device for the service, as claimed.

The Examiner admits that Shteyn fail to teach that the exhibit is at a trade show and relies upon the art of Borgstahl to teach that he invention occurs at a trade show. Applicant argues that Borgstahl is not in analogous art as applicant's claimed invention, as communication does not occur between the user and the kiosk at the trade show as claimed. Borgstahl merely teaches the existence of a trade show, which fails to further support the Examiner's rejection because Borgstahl is also geographically challenged in that once the user walks out of range of the kiosk, no communication occurs at all.

Based on the arguments given above, applicant believes claims 23 and 28 are patentable over Shteyn and Borgstahl, either singly or in combination. Dependent claims 24-27 and 29-32 are patentable at least as depended from a patentable claim.

- 6 -

As all of the claims standing for examination as amended have been shown to be patentable over the art of record, applicant respectfully requests reconsideration and that the present case be passed quickly to issue. If there are any time extensions due beyond any extension requested and paid with this amendment, such extensions are hereby requested. If there are any fees due beyond any fees paid with the present amendment, such fees are authorized to be deducted from deposit account 50-0534.

Respectfully Submitted,
Michael Evans et al.

By Donald R. Boys
Donald R. Boys
Reg. No. 35,074

Central Coast Patent Agency, Inc.
3 Hangar Way, Suite D
Watsonville, CA 95076
831-768-1755